

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD MARCH 18, 1997 AT 1:00 P.M. IN WARRENTON, VIRGINIA

P R E S E N T Mr. David C. Mangum, Chairman; Mr. James G. Brumfield, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

FY 1998 BUDGET WORK SESSION

A work session was held to review and discuss the proposed FY 1998 budget.

DISCUSSION - DIRECTION TO THE WATER AND SANITATION AUTHORITY REGARDING ENGINEERING STUDY

A work session was held to discuss a decision on a resolution of direction to the Water and Sanitation Authority regarding the preliminary engineering study for the Route 28 project.

REPORT ON THE PROGRAM EVALUATION STUDY - DAVID M. GRIFFITH ASSOCIATES

A work session was held with David M. Griffith Associates to receive a report on the program evaluation study.

REORGANIZATION PLAN - SOCIAL SERVICES BOARD

A work session was held to review and discuss a proposal by David M. Griffith Associates to restructure Fauquier County's Human Service Agencies.

DEPARTMENTAL RELOCATION OPTIONS

A work session was held to review and discuss the proposal for relocation of Fauquier County departments.

EXECUTIVE SESSION

Mr. Burton moved to go into executive session pursuant to Virginia Code Section 2.1-344(A) (7) for consultation with legal counsel pertaining to potential litigation. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

Upon reconvening from executive session, Mr. Burton moved to adopt the following certification. Mr. Brumfield seconded.

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 18th day of March 1997, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Absent During Meeting: None

FAUQUIER EXTENSION LEADERSHIP COUNCIL - PROGRAM UPDATE

The Board of Supervisors attended a program update and dinner at the Fauquier County Cooperative Extension Office with the members of the Fauquier Extension Leadership Council.

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room.

ADOPTION OF THE AGENDA

Mr. Brumfield moved to adopt the agenda subject to adding Appointments to the Regular Agenda. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

CITIZENS TIME

Joe Higgs offered comments in rebuttal to articles printed in The Bugle.

CONSENT AGENDA

Mr. Brumfield moved to adopt the following Consent Agenda items. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry

L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the February 25, 1997 and March 6, 1997 Adjourned Meetings and the March 4, 1997 Regular Meeting

A Resolution to Authorize Advertisement of a Public Hearing to Consider Amending Section 10-1 of the Fauquier County Code Pertaining to the Solid Waste Ordinance

RESOLUTION

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING ON
AMENDMENTS TO CHAPTER 10 OF THE
FAUQUIER COUNTY CODE

WHEREAS, Chapter 10 of the Fauquier County Code currently states that the Director of General Services is to issue permits for the collection and disposal of solid waste; and

WHEREAS, the consideration of School and County functions eliminated the Director of General Services; and

WHEREAS, the Director of Solid Waste Management is now responsible for the duties previously assumed by the Director of General Services; and

WHEREAS, the Code of Virginia prohibits certain "open dumps" as defined in the Code of Virginia and a parallel provision in the Fauquier County Code may aid in the enforcement of Chapter 10 of the Ordinance, now therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 18th day of March 1997, That G. Robert Lee, County Administrator, be and is hereby directed to schedule a public hearing to receive citizen comment on the proposed amendments to Chapter 10 of the Fauquier County Code changing all references of the Director of General Services to the Director of Solid Waste Management and incorporating a prohibition against "open dumps," and that the public hearing be advertised in accordance with the Code of Virginia.

Open Space Commitments

RESOLUTION

A RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO
OPEN SPACE COMMITMENT WITH LANDOWNER

WHEREAS, Fauquier County has established a special land assessment program for the preservation of real estate devoted to open space pursuant to Section 58.1-3233 of the Code of Virginia, 1950, as amended; and

WHEREAS, a landowner may qualify for the special land assessment program for the preservation of open space upon the execution and recordation of a written open space use commitment between the landowner and the Board of Supervisors; and

WHEREAS, to qualify for the special land assessment program for the preservation of open space the real estate to be entered into the program must meet the general and specific standards promulgated by the Director of the Department of Conservation and Historic Resources as set forth the Manual of the State Land Evaluation Advisory Council (1992); and

WHEREAS, the hereinafter identified landowners have requested that the Board of Supervisors enter into an Open Space Use Agreement for the preservation of certain land owned by them for the purposes of qualifying for the special land assessment program under the open space category; and

WHEREAS, the Board of Supervisors by its adoption of this resolution has determined that the hereinafter described land meets the general and specific standards as promulgated by the Director of the Department of Conservation and Historic Resources for entering into a Open Space Use Agreement committing the landowner not to change the use of the land to a non-qualifying use for a time period of eight years; and

RESOLVED this 18th day of March, 1997 by the Board of Supervisors of Fauquier County, That it authorizes its chairman to execute on behalf of the Board of Supervisors an Open Space Use Agreement with the hereafter identified landowners:

NAME
IDENTIFICATION
ACREAGE

Puckett, John A. and
Carlotta L.
7803-24-0913-000
14674 Roger's Ford
Rd.

27.8027

Puckett, John A. and
Carlotta L.
7803-24-6434-000
14674 Roger's Ford
Rd.

2.8639

Hume, William H. and Jean
M.
6917-93-5145-000
5822 Keyser Rd.

37.8899

Vavrina, Robert T. and Char
Y.
6020-45-1020-000
3624 Leeds Manor Rd.

26.2487

; and, be it

FURTHER RESOLVED that upon execution and recordation of the agreement that the described real estate shall be eligible for classification as Open Space under the Fauquier County Special Land Assessment Program.

Preliminary Subdivision Plat - Anderson Subdivision

No action was taken.

Preliminary Subdivision Plat - Butler Subdivision

No action was taken.

A RESOLUTION TO AUTHORIZE THE RAPPAHANNOCK-RAPIDAN
COMMUNITY SERVICES BOARD TO BORROW \$1,275,000 FOR THE
PURCHASE OF AN EXISTING BUILDING FOR OFFICES AND PROGRAM
OPERATIONS

Mr. Brumfield moved to adopt the following resolution. Mr. Burton
seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COMMUNITY SERVICES
BOARD TO BORROW \$1,275,000 FOR THE PURCHASE OF AN
EXISTING BUILDING FOR OFFICES AND PROGRAM OPERATIONS

WHEREAS, the Rappahannock-Rapidan Community Services Board has
determined that it is feasible to borrow funds for the acquisition and
renovation of an existing building in Culpeper County for the purpose of
offices consolidation, and meals preparation, storage and distribution; now,

therefore, be it

RESOLVED by the Fauquier County Board of Supervisor this 18th day of March 1997, That authorization be, and is hereby, given to the Rappahannock-Rapidan Community Services Board to borrow \$1,275,000 for the purchase of an existing building for offices and program operations; and, be it

RESOLVED FURTHER, That in granting this authority the County of Fauquier assumes no liability for any such indebtedness; and, be it

RESOLVED FURTHER, That the approval granted herein is expressly conditioned upon inclusion in the promissory note, and written acceptance by the lender, of a non-recourse clause which specifically waives and releases any and all claims the lender may have against the Board of Supervisors of Fauquier County; and, be it

RESOLVED FURTHER, That the approval granted herein is expressly conditioned upon inclusion within the promissory note, and written acceptance by the lender, of a non-appropriation clause which expressly provides that nothing contained in the promissory note or any other document in connection with the indebtedness shall constitute a pledge of the full faith and credit of the Rappahannock-Rapidan Community Services Board, the Commonwealth of Virginia, or any political subdivision of the Commonwealth and that the obligation to pay any indebtedness created by the promissory note shall be subject to the annual appropriation of funds necessary for the payment of such indebtedness; and, be it

RESOLVED FINALLY, That the approval granted herein is expressly conditioned upon the Rappahannock-Rapidan Community Services Board entering into a financing transaction that conforms in all regards to Virginia law.

A RESOLUTION OF DIRECTION TO THE WATER AND SANITATION AUTHORITY REGARDING AN ENGINEERING STUDY

Mr. Weeks moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry

L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

Be It Resolved by the Fauquier County Board of Supervisors this 18th day of March 1997, That the Chairman be, and is hereby, directed to sign and transmit to the Fauquier County Water and Sanitation Authority the following letter regarding the Preliminary Engineering Report of the New Baltimore Service District:

Members of the Fauquier County

Water & Sanitation Authority Board
P. O. Box 3047
Warrenton, Virginia 20188

Dear Water & Sanitation Authority Board Members:

This letter represents the sentiments of the Board of Supervisors on matters pertaining to the Preliminary Engineering Report (PER) proposed for the New Baltimore Service District by the Fauquier County Water & Sanitation Authority (WSA) former General Manager. The Board of Supervisors recognizes that there is some confusion regarding previous correspondence from the County and this letter, which has received the official endorsement of the Board of Supervisors, seeks to clarify issues.

The Board of Supervisors, on December 3, 1997, passed a Resolution which authorized a County grant to the WSA of \$55,000 to complete a Preliminary Engineering Report (PER) for the Remington Regional Plant. That Resolution was passed in response to a proposal made to the Board by WSA General Manager Dave Binning on that date. The route of the pipeline from the plant in Remington to its terminal points in New Baltimore is depicted on Attachment A.

The pipeline proposal represents the most ambitious and expensive public sewer project in the history of Fauquier County. It is imperative that technical analyses be objective and unequivocally professional. The County and WSA must find a highly reputable engineering consultant to test the numerous assumptions posited by the WSA General Manager in the project proposal.

The firm or individual that is selected for the above referenced studies, if from outside the WSA, must be chosen in conformance with the Virginia Public Procurement Act. The reputation of the firm or individual doing the work must be excellent and no firm with client conflicts should be considered. The credibility of both the Board of Supervisors and the WSA rests on the integrity of this vital professional services procurement process.

Our intention that the technical analysis be objective and professional in no way should be interpreted as precluding the WSA from obtaining reputable engineering

services from either within or without the WSA but rather that the analysis be from a highly reputable source.

In a separate matter, the General Manager of WSA attached a drawing of the pipeline's path on a large scale map. The exact routes and terminal points were not clearly identified. While the PER will recommend exacting routes and terminal locations for the pipeline, it is essential for us to have a better idea of such routing from the outset. Attachment A is a better depiction of the study route.

For the purpose of further clarification, the WSA is hereby specifically requested to conform to the adopted Fauquier County Comprehensive Plan in the provision of phased infrastructure and develop a PER for Phase I of the New Baltimore Service District as part of the overall plan to provide engineering details for the extension of the pipeline into New Baltimore. It was for the purpose of serving existing neighborhoods that the Board of Supervisors passed a Resolution on December 7, 1993, giving New Baltimore Service District priority for sewer service.

APPOINTMENTS

Mr. Brumfield moved to appoint Daniel Hilleary to the Capital Improvements Program Committee to fill an unexpired term to December 31, 1999. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

Mr. Green moved to appoint Sally Smith to the Library Board to fill and unexpired term to June 30, 1998. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RECEIVE PUBLIC COMMENTS REGARDING THE PROPOSED
APPROPRIATION OF FUNDS IN THE AMOUNT OF \$3,580,000
ASSOCIATED WITH THE COUNTY'S ACQUISITION OF 320 HOSPITAL HILL
DRIVE

A public hearing was held to consider appropriating \$3,580,000 associated with the County's acquisition of 320 Hospital Hill Drive. No one spoke. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION (FY97)

A RESOLUTION TO APPROPRIATE FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, the County of Fauquier has purchased property located at

320 Hospital Hill Drive in Warrenton, Virginia; and

WHEREAS, the County of Fauquier has entered into a financing agreement with The Fauquier Bank in the amount of \$3,580,000; and

WHEREAS, the County of Fauquier has received funds in the amount of \$3,580,000 on February 12th, 1997; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of March 1997, That the sum of \$3,580,000 be appropriated and is hereby approved.

RECEIVE PUBLIC COMMENTS REGARDING THE COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION TO BE SUBMITTED
TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT ON THE BOTHA MODEL AFFORDABLE HOUSING
OWNERSHIP PROJECT

A public hearing was held to consider the Community Development Block Grant application to be submitted to the Virginia Department of Housing and Community Development on the Botha Model Affordable Housing Ownership Project. John Wayland, President of Fauquier Housing Corporation, Sandra Brown and Henry Minor, representing Fauquier Habitat for Humanity, spoke in favor of the application. Barry Starke, Frank Ott, Diane Salak, Eric Hayse, Jim Ford, Jim Rowe and Gladys Frazier spoke in opposition. Since advertising requirements for this hearing were not sufficiently met, Mr. Weeks moved to continue the public hearing until March 26, 1997. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

ZONING ORDINANCE TEXT AMENDMENT - SEMPLE FAMILY LIMITED
PARTNERSHIP, OWNERS, AND J. BROOKS SEMPLE, GENERAL PARTNER

A public hearing was held to consider a Zoning Ordinance text amendment filed by the Semple Family Partnership to allow a new use, continuing care facility. Ben Jones, representing the Semples, Brooks Semple, Sally Murray, Father Alex Darby, Kathy Linquest, Kevin McCarthy, Virginia Vawter, and Kitty Smith spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Weeks moved to table the request until the April 1, 1997 meeting in order to receive further information regarding a possible additional condition. Mr. Green seconded, and the vote for the motion was 2 to 3 as follows:

Ayes: Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton

Absent During Vote: None

Abstention: None

Mr. Burton then moved to adopt the following ordinance. Mr. Mangum seconded, and the vote for the motion was 4 to 0 as follows, with Mr. Weeks abstaining due to lack of information.

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.

Nays: None

Absent During Vote: None

Abstention: Mr. Larry L. Weeks

ORDINANCE

AN ORDINANCE TO AMEND SECTION 3-306 BY ADDING

SUBPARAGRAPH 7. CONTINUING CARE FACILITY AS A PERMITTED USE IN THE RA, RR-2, R-1 AND VILLAGE ZONING DISTRICTS WITH SPECIAL EXCEPTION AND SITE PLAN APPROVAL; SECTION 5-606 ADDING ADDITIONAL STANDARDS FOR CONTINUING CARE FACILITY; AND SECTION 15-300 DEFINITIONS

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice require amendments to the Fauquier County Zoning Ordinance, now therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 18th day of March , 1997, that Sections 3-306 7., Continuing Care Facility; Section 5-606, Additional Standards for a Continuing Care Facility; and Section 15-300, Definitions of the Fauquier County Zoning Ordinance be, and is hereby, added as follows:

Section 3-306 7., Continuing Care Facility in the RA, RR-2, R-1, and Village zoning districts with special exception and site plan approval.

Section 5-606, Additional Standards for a Continuing Care Facility

In the consideration of an application for such a use, the concentration of such facilities shall be taken into account to prevent clustering in certain neighborhoods, thereby creating an institutional setting and changing the area's character and social structure.

No such use shall be established except on a lot fronting on, and having access to, a road designated as a major collector (or higher) in the comprehensive Plan unless the Board of Supervisors or the Zoning Board of Appeals finds that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage. In no case shall alternative frontage and access be onto less than a rural minor collector or urban local road as designated in the Comprehensive Plan.

No such use shall be established in any area until the Fauquier County Emergency Coordinator has determined that adequate emergency medical service and fire protection is available in short response time.

The location for such use should be convenient to shopping, social, educational and cultural uses.

No such use shall be operated without approval and, where appropriate, licensing by such agencies as the Virginia Department of Social Services, the Virginia Department of Health, and other such appropriate local, state and

federal agencies which may have authority in a particular case.

No structure used for or in conjunction with such use shall be located closer than 100 feet to any lot line in any Residential or Rural District.

1. All such uses shall be designed to accommodate service vehicles with access to the building at a side or rear entrance.
2. All off-street parking and loading areas shall be effectively screened in any Residential or Rural District.
3. Minimum parcel size is 100 acres.
4. The proposed use including all structures, roads and landscaping shall be sited, designed and constructed in a manner which minimizes the impact of the development on the neighborhood and the County. The scale of the physical facilities shall be such that the appearance of the project will be visually harmonious and appropriate to the neighborhood and immediate area.

Section 15-300, Definitions:

CONTINUING CARE FACILITY: This type of facility may consist of three (3) types of care, or any one or two types:

- a. Congregate Living Facility: a facility which provides independent living which may be affiliated with, or located near health care facilities.
- b. Adult Assisted Living: a facility for people who cannot live independently and who need assistance with daily chores and housekeeping.
- c. Nursing Home: a facility for individuals who require specialized nursing care on a regular basis but who do not need to be hospitalized.

Such facilities may include as an integral part accessory commercial and other facilities and uses primarily for the use of residents and their guests, including but not limited to beauty shop, pharmacy, banking facilities, gift shop and similar facilities.

ZONING ORDINANCE TEXT AMENDMENT - FAUQUIER COUNTY BOARD OF SUPERVISORS AND THE PLAINS REDEVELOPMENT AUTHORITY

A public hearing was held to consider a Zoning Ordinance text amendment initiated by the Board of Supervisors and The Plains Redevelopment Corporation to amend the Ordinance to allow community farmers' markets in the rural agriculture zoning district. Earl Douple, Kitty Smith, and Bob Sowder spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following ordinance. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

AN ORDINANCE TO ADD SECTION 3-318, 22.,
COMMUNITY FARMERS' MARKET AND
SECTION 5-1813, ADDITIONAL STANDARDS FOR A
COMMUNITY FARMERS' MARKET

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice require amendments to the Fauquier County Zoning Ordinance, now therefore be it

ORDAINED, by the Fauquier County Board of Supervisors this 18th day of March, 1997, that Section 3-318 22., Community Farmers' Market, and Section 5-1813, Additional Standards for a Community Farmers' Market, of the Fauquier County Zoning Ordinance be, and is hereby, added as follows:

Section 3-318

22. Community Farmers' Market with special exception and site plan approval in the Rural Agriculture zoning district.

Section 5-1813, Additional Standards for a Community Farmers' Market

1. The minimum lot size requirement shall be one hundred (100) acres. The requirements of this section shall not preclude the property owner from conducting compatible, Permitted Uses on the same parcel.
2. The road frontage requirement shall be a minimum of 300 feet on a road designated as a major collector (or higher) in the Comprehensive Plan.
3. All open off-street parking and loading areas shall be no closer than 25 feet from any lot line.
4. In addition to the allowed farm sign, one temporary, portable sign may be erected of up to 12 square feet in size and six (6) feet in height to advertise hours of operation and products available.
5. The permitted activity is the use of any tract of land in a rural agriculture zoning district for the retail sales and preparation of agricultural products, horticultural products, aquacultural products, and hand made crafts. Any other retail sales conducted on the property shall be accessory and incidental to the permitted activity. Permitted accessory products shall be accessory and incidental to the permitted activity. Permitted accessory products include pottery, baskets, garden accessories, baked goods, floral supplies and other similar type items directly related to the culture, care, use of, or processing of the principal use. Products using electrical or combustion power such as lights, lawn trimmers, and tractors shall not be allowed.
6. Highway entrance shall be approved by the Virginia Department of Transportation.
7. Sanitary facilities shall be approved by the Fauquier County Health Department.
8. No structure used for or in conjunction with the use shall be located within 500 feet of any adjoining property located in a

Residential or Rural Zoning District.

9. No more than one new structure shall be allowed to be constructed, not to exceed 2,500 square feet in size and shall meet all location requirements for the RA zoning district. However, structures previously existing on the parcel may be converted to a farmers' market use, regardless of size or number, if the Board determines the location, accessibility, and visibility of these structures is appropriate to this use.

10. All agriculture products, horticultural products, and hand made crafts shall be grown or produced within the Commonwealth of Virginia.

SPECIAL EXCEPTION - B.G. SOWDER, TRUSTEE - ALTERNATIVE
WASTEWATER SYSTEM

A public hearing was held to consider a request for special exception approval from B.G. Sowder, Trustee, to allow a recirculating sand filter system and to discharge treated domestic waste into a tributary of the Rappahannock River to serve a new individual residence on a 2.1018 acre parcel. The property is located at the intersection of Routes Hill Road (Route 685) and Lees Mill Road (Route 651) near Botha, PIN #6970-49-3033-000, Lee District. Bob Sowder spoke in favor of the request. Jim Hall spoke in opposition. The public hearing was closed. Mr. Mangum moved to table the decision until the April 15, 1997 meeting. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

COMPREHENSIVE PLAN AMENDMENT TO THE NEW BALTIMORE SERVICE
DISTRICT MAP - WILSHIRE LIMITED PARTNERSHIP

A public hearing was held to consider amending the Comprehensive Plan designation for a 0.5 acre parcel from low density residential to commercial highway. The parcel is located on the east side of Lee Highway (Routes 15/29) north of the intersection with Baldwin Street (Route 673) in the New Baltimore Service District, PIN #6995-88-5503-000, Scott District. Pasha and June Kerns, representing Wilshire Limited Partnership, spoke in favor of the request. Barbara Severin spoke in opposition. The public hearing was closed. Mr. Weeks moved to deny the request. Mr. Mangum seconded, and the vote for the motion was 4 to 1 as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. Larry L. Weeks
Nays: Mr. James R. Green, Jr.
Absent During Vote: None
Abstention: None

With no further business, the meeting was adjourned.

